

REFERENCE TITLE: **Land department; rural lands division**

State of Arizona
House of Representatives
Forty-seventh Legislature
Second Regular Session
2006

HB 2483

Introduced by
Representatives Chase: Anderson, Brown

AN ACT

AMENDING SECTION 37-102, ARIZONA REVISED STATUTES; RELATING TO THE STATE LAND DEPARTMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 37-102, Arizona Revised Statutes, is amended to
3 read:

4 37-102. State land department: powers and duties

5 A. The state land department shall administer all laws relating to
6 lands owned by, belonging to and under the control of the state.

7 B. The department shall have charge and control of all lands owned by
8 the state, and timber, stone, gravel and other products of such lands, except
9 lands under the specific use and control of state institutions and the
10 products of such lands.

11 C. THE RURAL LANDS DIVISION IS ESTABLISHED WITHIN THE DEPARTMENT. THE
12 RURAL LANDS DIVISION HAS CHARGE AND CONTROL OF ALL LANDS OWNED BY THIS STATE
13 IN COUNTIES HAVING A POPULATION OF LESS THAN FOUR HUNDRED THOUSAND PERSONS,
14 INCLUDING THE NATURAL PRODUCTS OF THOSE LANDS AND THE MANAGEMENT, LEASING,
15 SALES AND OTHER DISPOSITION OF THOSE LANDS.

16 E. D. The department, in the name of the state, may commence,
17 prosecute and defend all actions and proceedings to protect the interest of
18 the state in lands within the state or the proceeds thereof. Actions shall
19 be commenced and prosecuted at the request of the department by the attorney
20 general, a county attorney or a special counsel under the direction of the
21 attorney general.

22 D. E. The department shall be the official representative of the
23 state in any communication between the state and the United States government
24 in all matters respecting state lands or any interest of the state in or to
25 the public lands within the state.

26 E. F. The summons in any action against the state respecting any
27 lands of the state or the products of such lands and all notices concerning
28 such lands or products shall be served upon the commissioner. Summons,es,
29 warrants or legal notices served on behalf of the department may be served by
30 the commissioner or the commissioner's deputy, or by the sheriff or a
31 constable of any county of the state.

32 F. G. The department shall maintain as a public record in each of its
33 offices a public docket and index of all matters before the department which
34 may be subject to appeal to the board of appeals or to the courts and all
35 sale, exchange and lease transactions subject to bidding by the public. The
36 department shall list a matter on the public docket immediately after an
37 application or other request for department action is received by the
38 department. The department shall include in the public docket every formal
39 action and decision affecting each matter in question. The department shall
40 establish by rule a means by which any person may obtain a copy of the public
41 docket at the current copying cost.

42 G. H. The department shall reappraise or update its original
43 appraisal of property to be leased, exchanged or sold if the board of
44 appeals' approval of the lease or sale occurred more than one hundred eighty
45 days before the auction.

1 ~~H.~~ I. The state land department shall:

2 1. Prepare maps of the ancillary military facilities described in
3 section 28-8461, paragraph 7, subdivisions (b) and (c).

4 2. Make a map of the ancillary military facility described in section
5 28-8461, paragraph 7, subdivision (a) available to the public in printed or
6 electronic format and provide the map in printed or electronic format to the
7 state real estate department.

8 ~~I.~~ J. The state land department shall provide each map and the legal
9 description of the boundaries of each ancillary military facility described
10 in section 28-8461, paragraph 7 in electronic format to the state real estate
11 department. Each map prepared by the state land department pursuant to this
12 section shall:

13 1. Describe the ancillary military facility, the territory in the
14 vicinity of the ancillary military facility and the high noise and accident
15 potential zone, accident potential zone one and accident potential zone two
16 associated with the ancillary military facility.

17 2. Be submitted to the county in which the ancillary military facility
18 is located.

19 3. Be made available in printed or electronic format to the public at
20 the state land department and at the state real estate department.

21 ~~J.~~ K. The state land department shall prepare a military training
22 route map. The map shall contain military training route numbers in this
23 state that are used by various United States armed forces. The map shall be
24 dated.

25 ~~K.~~ L. When preparing the military training route map, the state land
26 department shall use information contained in the most current department of
27 defense publication that is entitled area planning military training routes
28 for North and South America.

29 ~~L.~~ M. The military training route map shall be made available in
30 printed or electronic format to the public at the state land department and
31 at the state real estate department.

32 ~~M.~~ N. Within ninety days after the department is notified of a change
33 of a military training route in this state, the department shall prepare a
34 revised military training route map. The map shall be dated and contain a
35 statement that the map supersedes all previously dated maps. The state land
36 department shall send the revised map to the state real estate department
37 electronically and shall also send an accompanying letter specifying the
38 military training route changes. The state land department shall send the
39 revised map and an accompanying letter specifying the military training route
40 changes to the municipalities affected by the changes and to all counties.

41 ~~N.~~ O. The department shall submit the military training route map
42 prepared pursuant to this section to the counties in either an electronic or
43 a printed format. The format shall be determined by the receiving county.

1 O. P. The state land department shall provide the legal description
2 of the boundaries of the military training routes as delineated in the
3 military training route map to the state real estate department in electronic
4 format.

5 P. Q. ~~Within ninety days after the effective date of this amendment~~
6 ~~to this section,~~ The state land department shall prepare a military
7 restricted airspace map. The map shall contain military restricted airspace
8 in this state that is used by various United States armed forces. The map
9 shall be dated.

10 Q. R. When preparing the military restricted airspace map, the state
11 land department shall use information contained in the most current
12 department of transportation publication that is entitled "aeronautical
13 chart".

14 R. S. The military restricted airspace map shall be made available in
15 printed or electronic format to the public at the state land department and
16 at the state real estate department.

17 S. T. Within ninety days after the department is notified of a change
18 of military restricted airspace in this state, the department shall prepare a
19 revised military restricted airspace map. The map shall be dated and contain
20 a statement that the map supersedes all previously dated maps. The state
21 land department shall send the revised map to the state real estate
22 department electronically and shall also send an accompanying letter
23 specifying the military restricted airspace changes. The state land
24 department shall send the revised map and an accompanying letter specifying
25 the military restricted airspace changes to the municipalities affected by
26 the changes and to all counties.

27 T. U. The department shall submit the military restricted airspace
28 map prepared pursuant to this section to the counties in either an electronic
29 or a printed format. The format shall be determined by the receiving county.

30 U. V. The state land department shall provide the legal description
31 of the boundaries of the military restricted airspace as delineated in the
32 military restricted airspace map to the state real estate department in
33 electronic format.